

HOUSE No. 2149

By Mr. Kujawski of Webster, petition of Paul Kujawski relative to protecting certain employees of the Commonwealth from arbitrary removal. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT PROVIDING PROTECTION FROM ARBITRARY REMOVAL.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 30 of the General Laws is hereby amended by inserting
2 a new section 9J as follows:

3 s 9J Employees of the Commonwealth; protection from arbi-
4 trary removal

5 No employee of the Commonwealth, other than a managerial
6 employee within the meaning of chapter 150E, shall after having
7 continuously performed the duties of a position classified under
8 chapter 31 for six months shall be discharged, removed, sus-
9 pended, laid off, transferred from the latest position held by him
10 without his consent, lowered in rank or compensation, nor shall
11 his office or position be abolished except for just cause and in the
12 manner provided by sections 39 to 45 inclusive of chapter 31.

13 Appeals from acts of appointing authorities arising under this
14 section may be filed by the employee in the manner prescribed by
15 chapter 31 or may, at the election of the employee and with the
16 written consent of the collective bargaining representative, be sub-
17 mitted to final and binding arbitration under the terms of any col-
18 lective bargaining agreement which contains provision for final
19 and binding arbitration.